



Child Custody - Part 3 (Legal Proceedings)

This four-part video series discusses the process used to decide how much time a child will spend with each parent, and who will be responsible for major decisions about a child in the future. This video discusses the legal proceedings in a custody case.

Scheduling Conference/Initial Conference

- The scheduling conference takes place after all parties have filed documents (Complaint and Answer) or the court has issued an Order of Default.
- All parties appear before a judge or magistrate to talk about court programs that may help them reach a settlement.
- The court will schedule hearings or deadlines to determine how the case will proceed.

Court Services

- Alternative Dispute Resolution (ADR) is a variety of processes for resolving disputes without a trial.
 - The court will determine if ADR is appropriate. If it is recommended, you may ask the court for time to reach an agreement.
 - Mediation is a popular form of ADR. Both parties will meet with a neutral third party to try and reach an agreement. The court may order your family to participate in mediation.
- Parenting Coordination is when both parents work with a neutral professional to reduce the effects of parental conflict on your children. The court may have a list of parent coordinators in your area.
- Co-Parenting Classes often address transitions between households, communication, problem-solving, decision-making, and other topics.
- If the court needs more information, it may order a Custody Evaluation. Evaluators meet with individuals, review records, and prepare a written report for the court.
- The court may also order a Mental Health Evaluation or order family members into Counseling.
- Visitation Services include monitored exchange (a safe location for dropping off and picking up children) and supervised visitation (trained staff at a center observe the visit to ensure that the interaction is safe).

Discovery

- An important legal process in which each party shares information about the case with the other side.
- Forms of discovery include interrogatories (up to 30 written questions), production of documents for inspection, oral depositions, requests for admissions of fact, and subpoenas.
- Rules about discovery are complicated, and must be followed precisely. If they are not followed, it may affect your case. Consider talking to a lawyer.



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